

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BIG STONE GAP DIVISION**

**UNITED STATES OF AMERICA**

V.

**SAMUEL SILVA,**

Defendant.

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

Case No. 2:20CR00017

## ORDER

By: James P. Jones  
United States District Judge

The defendant has filed a MOTION FOR TRANSFER TO ADX FLORENCE OR, ALTERNATIVELY, OTHER RELIEF FROM GOVERNMENT CREATED CONDITIONS OF CONFINEMENT THAT ARE UNDERMINING HIS REPRESENTATION, ECF No. 44, as well as a Supplement thereto, ECF No. 46. The United States is granted leave to consider the transfer of the defendant as requested and its feasibility under all of the circumstances and if it has not arrived at a satisfactory understanding as to such transfer by April 22, 2021, it must file a response to the defendant's motion and supplement no later than April 29, 2021, and the defendant must file a reply within 7 days after the filing of the response.

The defendant has filed under seal a letter dated April 2, 2021, to counsel for the defendant from the Warden of USP Lee, ECF No. 57, as Exhibit A to the Supplement to its Motion. As directed by the court, counsel for the defendant has

provided a redacted copy of this letter to the United States and the court. So that the record will be complete, I will direct the Clerk to file the redacted version of this letter on the record along with this Order.

I also direct the United States to advise the Warden at USP Lee that neither he nor any other BOP personnel or attorneys, is to provide copies to the U.S. Attorney's Office of any correspondence from the BOP to defense counsel regarding the defendant, without prior permission of the court. The purpose of this prohibition is to ensure that there is no inadvertent disclosure of privileged information, such as may have been contained in the letter of April 2, 2021.

It is so **ORDERED**.

ENTER: April 15, 2021

/s/ JAMES P. JONES  
United States District Judge